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EXAMINER

NGUYEN, CHAU T

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 03/23/2004

74

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/558,923

Applicant(s)

KEMBEL ET AL.

Examiner

Chau Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Response to Office Action, filed on 12/19/2003, has been entered. Claims 1-24 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-4, 6, 8-10 and 13, 15-16, 18, and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Dasan, Patent No. 5,761,622.

4. As to claims 1 and 13, Dasan discloses a method of processing distributable computer readable media in a client/server computer system in a manner specified by a user, said method comprising the steps of:

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providing a login construct to a client computer from a server computer (col. 3, lines 30-46, col. 6, lines 20-37 and Figs. 1, 5, and 6: a client/server architecture, a user from the client can enter via the forms support in the browser a user name/profile name);

accepting at said server computer a login identifier from said client computer that corresponds to said user (col. 6, lines 20-52: determining whether the user name/profile for the user exists), and

using said login identifier to locate an unprocessed user profile associated with said login identifier in a user profile database when said unprocessed user profile exists (col. 3, lines 20-45 and col. 6, lines 20-52: scanning and searching of raw/unprocessed information using a user-defined profile/user name when generation of the newspaper is requested, and then the newspaper is generated based upon the profile); and

associating a new unprocessed user profile with said login identifier when said unprocessed user profile does not exist (col. 5, lines 53-64 and col. 6, lines 38-59: if the profile does not exist, the user is given the options for creating and editing the profile);

processing said unprocessed user profile to form a processed user profile (col. 3, lines 20-45 and col. 6, lines 20-52, and col. 7, lines 42-60: scanning and searching of raw/unprocessed information using a user-defined profile/user name when generation of the newspaper is requested, and then the newspaper is generated based upon the profile), said processed user profile including a reference to each networked information monitor in said client/server computer system associated with said login identifier; wherein one said networked information monitor referenced in said user profile is a

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home networked information monitor (col. 6, line 9 – col. 7, line 21, and col. 8, lines 4-41: the process of creating or editing a user profile is complete, Fig. 10 shows each of the lists of strings (reference) for each topic (NIM), Fig. 11 shows the results of the creation of a personal newspaper (home NIM), each topic (NIM) from the profile is listed in the home NIM, and each user has a user name according to his/her profile); and

delivering said home networked information monitor to said client computer in accordance with instructions in said processed user profile (col. 7, lines 42-60: the personal newspaper (home NIM) is generated based upon the user's profile), said home networked information monitor capable of accessing each said networked information monitor associated with said login identifier, and each said network information monitor capable of processing distributable computer readable media (col. 6, lines 9-52 and col. 7, line 42 – col. 8, line 41: the process for creating the newspaper functions (home NIM) as a full-text retrieval system which is controlled by contexts, sources, date and corresponding to topics (NIMs) contained in the profile which is associated with the user name, and displaying articles from topics in order to allow the user to view them).

5. As to claims 3 and 15, Dasan discloses detecting a designated keyboard entry sequence or mouse click corresponding to a selected networked information monitor (col. 5, lines 8-21 and Figs. 7 and 8); and

associating said selected networked information monitor with said processed user profile in response to said designated keyboard entry sequence or mouse click (col. 5, lines 8-21 and Figs. 7 and 8).

6. As to claims 4 and 16, Dasan discloses obtaining a request from said client for a specified networked information monitor (col. 3, lines 29-45 and col. 4, lines 53-64);

routing said request to an address corresponding to said specified networked information monitor (col. 3, lines 29-45 and col. 4, lines 53-64); and

transmitting said specified networked information monitor to said client (col. 3, lines 29-45 and col. 4, lines 53-64).

7. As to claims 6 and 18, Dasan discloses designating a plurality of networked information monitors (col. 6, lines 10-19);

collecting a reference of each said designated networked information monitor into a pack (col. 5, line 65 – col. 6, line 37);

assigning a name to said pack (col. 5, line 65 – col. 6, line 37); and

storing said pack in said processed user profile (col. 5, line 65 – col. 6, line 37 and Fig. 7).

8. As to claims 8 and 20, Dasan discloses identifying a designated networked information monitor (col. 6, lines 38-52 and col. 8, lines 4-21);

collecting a description of said designated networked information monitor into a container (col. 6, lines 38-52 and col. 8, lines 4-21);

assigning a name to said container (col. 6, lines 38-52 and col. 8, lines 4-21);

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storing said container in a sharelink database; wherein, upon storage of said container in said sharelink database, a unique identifier is assigned to said container, said unique identifier capable of locating said container in said client/server computer system (col. 6, lines 38-52 and col. 8, lines 4-21); and

distributing said unique identifier to another user of said client/server computer system (col. 6, lines 38-52 and col. 8, lines 4-21).

9. As to claims 9 and 21, Dasan discloses designating a plurality of networked information monitors (col. 6, lines 38-52 and col. 8, lines 4-21);

collecting a description of each said designated networked information monitor into a pack (col. 6, lines 38-52 and col. 8, lines 4-21);

assigning a name to said pack (col. 6, lines 38-52 and col. 8, lines 4-21);

storing said pack in a pack database; wherein, upon storage of said pack in said pack database, a unique identifier is assigned to said pack (col. 6, lines 38-52 and col. 8, lines 4-21);

identifying one or more components, each said identified component comprising a networked information monitor or a pack, and each said identified component is copied to a container (col. 6, lines 38-52 and col. 8, lines 4-21);

obtaining a name for said container (col. 6, lines 38-52 and col. 8, lines 4-21);

saving said container in a sharelink database; wherein, upon storage of said container in said sharelink database, a unique identifier is assigned to said container,

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said unique identifier capable of locating said container in said client/server computer system (col. 6, lines 38-52 and col. 8, lines 4-21); and

distributing said unique identifier to another user of said client/server computer system (col. 6, lines 38-52 and col. 8, lines 4-21).

10. As to claims 10 and 22, Dasan, discloses in which a first home networked information monitor delivered to said client computer in said delivering step has the following properties:

when a first visual manifestation corresponding to said first home networked information monitor is (i), moving at a rate toward a rate toward a second visual manifestation that corresponds to a second home networked information monitor delivered to said client computer and (ii), is within a first threshold distance of said second visual (col. 6, lines 38-52 and col. 8, lines 4-21);

when said first visual manifestation and said second visual manifestation are within a second threshold distance, said position of said visual manifestation relative to said second visual manifestation is fixed (col. 6, lines 38-52 and col. 8, lines 4-21).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the

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subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 2, 5, 7, 14, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dasan as applied to claims 1, 3-4, 6, 8-10 and 13, 15-16, 18, and 20-22 above, and further in view of Gifford et al. (Gifford), Patent No. 6,549,612.

13. As to claims 2 and 14, Dasan discloses transferring said login construct to said client computer as discussed in claim 1. However, Dasan does not disclose wherein said providing step comprises:

receiving, at said server computer, a client computer generated request for a global login script;

creating an instance of said global login script, wherein said instance of said global login script includes a current address corresponding to a login constructor;

communicating said global login script to said client computer;

generating said login construct in response to a call for said login construct from said client computer, said call for said login construct directed to said current address corresponding to said login constructor.

In the same field of endeavor, Gifford discloses user selects login section for authentication, and authentication is performed by the corresponding "login" CGI script

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or program. When the user selects the "login" URL link in the interface, the "login" user interface is generated from an HTTP CGI script or program 404 residing on web server (col. 12, lines 12-51). Since Gifford teaches a system providing access to communications-related services as well as access to stock/options trading and bill payment, which is similar to a system for retrieving information based on a user-defined profile of Dasan, it would have been obvious to one of ordinary skills in the art at the time the invention was made to combine the teachings of Gifford and Dasan to include user selects login section for authentication, and authentication is performed by the corresponding "login" CGI script or program. When the user selects the "login" URL link in the interface, the "login" user interface is generated from an HTTP CGI script or program 404 residing on web server. Gifford suggests that using this security feature to prevents unauthorized access to the services.

14. As to claims 5 and 17, Dasan and Gifford disclose wherein said specified networked information monitor is capable of execution in a transient manner when said user indicates that said specified networked information monitor is executable on a trial basis (Dasan, col. 5, line 65 – col. 6, line 9);

a definition of said specified networked information monitor is stored in said processed user profile when said user requests that said specified networked information monitor be added to said processed user profile (Dasan, col. 5, line 65 – col. 6, line 9); and

said processed user profile is periodically stored as said unprocessed user profile in said user profile database during a period of time in which said home networked information monitor is running (Gifford, col. 13, lines 9-19).

15. As to claims 7 and 19, Dasan and Gifford disclose periodically storing said processed user profile as said unprocessed user profile in said user profile database during a period of time in which said home networked information monitor is running Gifford, col. 13, lines 9-19).

16. Claims 11-12 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dasan as applied to claims 1, 3-4, 6, 8-10 and 13, 15-16, 18, and 20-22 above, and further in view of Dolan et al. (Dolan), Patent No. 5,801,702.

17. As to claims 11 and 23, Dasan, however, does not disclose when a set of visual manifestations corresponding to said collection of networked information monitors is selected by said user and pushed against a boundary, said visual manifestations are pushed into an alignment based on a shape of said boundary, and said alignment is maintained when a visual manifestation in said set of visual manifestations is moved.

In the same field of endeavor, Dolan discloses view window can represent the information to the user in a conventional manner includes scroll bars 108H (horizontal) and 108V (vertical) which are used by the user to select a portion of the substantive information in view window 104 (col. 5, lines 1-23). Dolan also discloses Scroll bars are

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well known and are used, for example, in windows generated by the Windows operating system available from Microsoft Corporation of Redmond (col. 5, lines 1-23).

Since Dolan teaches user accessing information according to a particular network access protocol by selecting a graphical representation of an item the user wishes to access from the hierarchical graph, which is similar to retrieving the user-defined profile wherein the user-defined profile identifies information which is of interest to the user of Dasan, it would have been obvious to one of ordinary skills in the art at the time the invention was made to combine the teachings of Dasan and Dolan to include when a set of visual manifestations corresponding to said collection of networked information monitors is selected by said user and pushed against a boundary, said visual manifestations are pushed into an alignment based on a shape of said boundary, and said alignment is maintained when a visual manifestation in said set of visual manifestations is moved. By doing so, view window can represent the information to the user in an efficient and conventional manner.

18. As to claims 12 and 24, Dasan and Dolan disclose wherein said shape is a horizontal or vertical line (Dolan, col. 5, lines 1-23).

Response to Arguments

In the remarks, Applicant argued in substance that

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(A) Prior art fails to teach said home networked information monitor capable of accessing each said networked information monitor associated with said login identifier, and each said networked information monitor capable of processing distributable computer readable media. Prior art also fails to teach a networked information monitor or a home networked information monitor.

As to point (A), Dasan discloses in col. 6, line 9 – col. 7, line 21 and col. 7, line 42 – col. 8, line 41: Fig. 11 shows the results of the creation of a personal newspaper (home NIM), each topic (NIM) from the profile is listed in the home NIM, and each user has a user name according to his/her profile; the process for creating the newspaper functions (home NIM) as a full-text retrieval system which is controlled by contexts, sources, date and corresponding to topics (NIMs) contained in the profile which is associated with the user name, and displaying articles from topics in order to allow the user to view them; Fig. 10 shows each of the lists of strings (reference) for each topic (NIM).

(B) Prior art does not teach or suggest a processed user-profile that includes “a reference to each networked information monitor in said client/server computer system associated with said login identifier”.

As to point (B), Dasan discloses in col. 6, line 61 – col. 7, line 21: an example of a news profile contains each of the lists of strings (reference) for each topic (NIM), and each of the profile has a user name (col. 6, lines 20-37).

(C) Prior art fails to teach processing an unprocessed profile to form a processed profile.

As to point (C), Dasan discloses in col. 3, lines 20-45 and col. 6, lines 20-52 and col. 7, lines 40-62: scanning and searching of raw/unprocessed information using a user-defined profile/user name when generation of the newspaper is requested, and then the newspaper is generated based upon the profile, thus unprocessed information will become processed information after the newspaper is generated.

(D) Prior art fails to teach the home networked information monitor is capable of accessing each networked information monitor associated with the login identifier, and networked information is capable of processing distributable computer media.

As to point (D), Dasan discloses in col. 6, lines 9-52 and col. 7, line 42 – col. 8, line 41: the process for creating the newspaper functions (home NIM) as a full-text retrieval system which is controlled by contexts, sources, date and corresponding to topics (NIMs) contained in the profile which is associated with the user name, and displaying articles from topics in order to allow the user to view them.

(E) Prior art does not teach detecting a designated keyboard entry sequence or mouse click corresponding to a selected networked information monitor; and associating said

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selected networked information monitor with said processed user profile in response to said designated keyboard entry sequence or mouse click.

As to point (E), Dasan discloses in Figs. 7&8 and in col. 5, lines 8-21 and col. 7, lines 22-60: the user of the profile click on any topic (NIM) on Fig. 8 such as 810a-810d, and click on add to profile 812, then all of the selected topics will be added to the user's profile).

(F) Prior art never teaches or suggests programming a generic computer system or server system.

As to point (F), Dasan teaches in Fig. 1 a generic computer system, client/server that includes user requests and server responses.

(G) Prior art does not teach "designating a plurality of networked information monitors"

As to point (G), Dasan discloses in Figs. 8, 10, and 11: different topics (NIMs) are added into the user profile.

(H) Prior art fails to show a prima facie case for claims 6 and 18.

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As to point (H), Dasan discloses in col. 5, line 65 – col. 6, line 37 and Figs. 8, 10, and 11: different topics (NIMs) are added into the user profile;

collecting a reference of each said designated networked information monitor into a pack (col. 5, line 65 – col. 6, line 37 – col. 7, line 41: selecting either of user interface objects the user specifies whether the search terms are case sensitive or not, and selecting list containing selectable topics (NIMs), then selecting add to profile icon, thus the data selected will be added to the user profile);

assigning a name to said pack (col. 5, line 65 – col. 6, line 37 – col. 7, line 41: Fig. 10 shows assigning a name to each topic such as “Sun News”, “Microsoft”, Internet”); and

storing said pack in said processed user profile (col. 5, line 65 – col. 6, line 37 – col. 7, line 41: Fig. 10 also shows adding these topics to the user profile).

(I) Prior art fails to show a prima facie case of claims 10 and 22.

As to point (I), Dasan discloses

when a first visual manifestation corresponding to said first home networked information monitor is (i), moving at a rate toward a rate toward a second visual manifestation that corresponds to a second home networked information monitor delivered to said client computer and (ii), is within a first threshold distance of said second visual (col. 5, line 65 – col. 6, line 52 and col. 8, lines 4-21: allowing periodic

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automatic generation of the personal newspaper (home NIM), for example, at regular intervals such as several times a day or week according to implementation);

when said first visual manifestation and said second visual manifestation are within a second threshold distance, said position of said visual manifestation relative to said second visual manifestation is fixed (col. 5, line 65 – col. 6, line 52 and col. 8, lines 4-21).

(J) Prior art fails to teach claims 5, 7, 17, and 19.

As to point (J), as to claims 5 and 17, Dasan and Gifford disclose wherein said specified networked information monitor is capable of execution in a transient manner when said user indicates that said specified networked information monitor is executable on a trial basis (Dasan, col. 5, line 65 – col. 6, line 9, and Gifford, col. 13, lines 9-19: cookie's life expires based on the cookie expiration date);

a definition of said specified networked information monitor is stored in said processed user profile when said user requests that said specified networked information monitor be added to said processed user profile (Dasan, col. 5, line 65 – col. 6, line 9: in the case of a profile creation, the profile is created and stored in local files); and

said processed user profile is periodically stored as said unprocessed user profile in said user profile database during a period of time in which said home networked

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information monitor is running (Gifford, col. 13, lines 9-19 and Dasan, col. 4, lines 27-41: maintaining a record of the state of each user's profile).

As to claims 7 and 19, Dasan and Gifford disclose periodically storing said processed user profile as said unprocessed user profile in said user profile database during a period of time in which said home networked information monitor is running (Gifford, col. 13, lines 9-19 and Dasan, col. 4, lines 27-41: maintaining a record of the state of each user's profile).

(K) Prior art does not teach using the scroll bar to align.

As to point (K), Dolan discloses navigation window includes scroll bars which can be used by the user to view selected portions of navigation graph.

19. Applicant's arguments filed 12/19/2003 have been fully considered but they are not persuasive. Please see the rejection and response to arguments above.

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THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (703) 305-4639. The examiner can normally be reached at 8:00 am – 5:00 pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3230.

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Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20131

Or Faxed to:

(703) 872-9306, (for **formal communications**; please mark
"EXPEDITE PROCEDURE").

Or:

(703) 746-7240 (for **informal or draft communications**, please label
"PROPOSED" or "DRAFT").

Or:

(703) 872-9306 (for **After Final Communications**).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA., Sixth Floor (Receptionist).

Chau Nguyen
Patent Examiner
Art Unit 2176


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER